

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ASSEM HOSSEIN,

Plaintiff,

v.

SHERIFF'S POLICE DEPARTMENT,

Defendants.

No. 2:23-cv-02002-DAD-KJN (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION DUE TO PLAINTIFF'S FAILURE
TO PROSECUTE

(Doc. No. 19)

Plaintiff Assem Hossein is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 (b)(1)(B) and Local Rule 302.

On February 7, 2024, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to plaintiff's failure to prosecute this action. (Doc. No. 19.) In particular, on November 28, 2023, the court screened plaintiff's complaint, explained the deficiencies therein, and granted plaintiff thirty days to file an amended complaint to cure the deficiencies. (Doc. No. 14.) On January 3, 2024, the court granted plaintiff an additional thirty days to file an amended complaint. (Doc. No. 18.) However, plaintiff has not filed an amended complaint or otherwise communicated with the court. Accordingly, the pending findings and recommendations were served on plaintiff by mail at his address of record and contained notice that any objections thereto were to be filed within fourteen (14) days after

1 service.¹ (Doc. No. 19 at 2.) Plaintiff has not filed any objections to the pending findings and
2 recommendations and the time to do so has since passed.

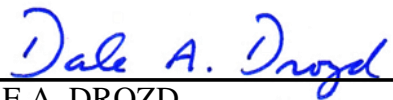
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
4 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
5 findings and recommendations are supported by the record and by proper analysis.

6 Accordingly:

- 7 1. The findings and recommendations issued on February 7, 2024 (Doc. No. 19) are
8 adopted in full;
- 9 2. This action is dismissed, without prejudice, due to plaintiff's failure to prosecute
10 this action; and
- 11 3. The Clerk of the Court is directed to close this case.

12 IT IS SO ORDERED.

13 Dated: March 9, 2024

14 
15 DALE A. DROZD
16 UNITED STATES DISTRICT JUDGE

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25 ¹ On January 16, 2024, plaintiff's copy of the court's January 3, 2024 order was returned to the
26 court as "Undeliverable, Not deliverable as addressed," and on February 21, 2024, the service
27 copy of the findings and recommendations was also returned to the court marked as
28 "Undeliverable, Not deliverable as addressed." Pursuant to Local Rule 182(f), service of
documents at the record address of the party is fully effective. Thus, although plaintiff's copy of
the court's January 3, 2024 order was returned, plaintiff was properly served.